

REMARKS

This application has been carefully reviewed in light of the Office Action dated November 20, 2003 (Paper No. 10). Claims 37 to 52 are in the application, of which Claims 37 and 52 are independent. Reconsideration and further examination are respectfully requested.

Objections were lodged against Figures 21 and 22 for failure to include "Prior Art" legends. The objections are factually incorrect, since substitute drawing sheets were submitted with a Letter Transmitting Formal Drawings dated September 8, 2003. Withdrawal of the drawing objection is therefore respectfully requested.

Claims 1 to 9 and 12 to 18 were rejected under 35 U.S.C. § 102(a) over U.S. Patent 5,997,153 (Naoe), and Claims 19 to 23, 26 to 29 and 32 to 36 were rejected over Naoe in view of U.S. Patent 5,781,351 (Murakami). All claims have been cancelled, including those claims withdrawn from consideration on the merits. Cancellation is without prejudice or disclaimer of subject matter, and without conceding the correctness of the restriction requirement or the rejections, which are therefore respectfully traversed. In the place of these claims, new Claims 37 to 52 have been presented and are believed allowable, for the following reasons.

The invention concerns a laser device in which a tubular portion forms part of a holder for holding a light source and a lens. The tubular portion has a plurality of holding portions, each holding the lens in a circumferential direction, as well as a plurality

of notch portions each not holding the lens. The holding portions and the notch portions are alternately provided.

By virtue of the foregoing arrangement, in which holding portions and notch portions are alternately provided, precise adjustment can be attained between the lens and the light source. Particularly in circumstances where chucks are positioned in the notches (see Claim 42), precise relative adjustment between the lens and the light source is attainable. Naoe and Murakami are not seen to disclose or to suggest the features of the present invention. Particularly with respect to Figure 14 of Naoe, for example, no notches are shown with respect to bore 16. Likewise, although holder 3 of Murakami apparently includes notches, holder 3 does not hold both a light source and a lens.

With respect to independent Claim 52, a relative position between a light source and a lens is adjusted by moving a chuck in a notch of a tubular portion in a state where the lens is gripped by the chuck. No such feature is found in Naoe or Murakami, such that Claim 52 is believed allowable.

No other matters being raised, it is believed that the entire application is fully in condition for allowance, and such action is courteously solicited.

Applicants' undersigned attorney may be reached in our Costa Mesa,
California office at (714) 540-8700. All correspondence should continue to be directed to
our below-listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael K. Scinto", written over a horizontal line.

Attorney for Applicants

Registration No. 32622

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-2200
Facsimile: (212) 218-2200

CA_MAIN 80093 v 1